

REMARKS

Preliminary Note

Applicant and the undersigned attorney gratefully acknowledge reopening of prosecution of the present application.

The Office Action of January 25, 2005, does not expressly withdraw previously-entered rejections of claims under 35 U.S.C. § 103(a) as being unpatentable over (1) Perlman, U.S. Patent Number 5,558,339 (“Perlman”), and (2) Perlman in view of Teshima *et al.*, U.S. Patent Number 5,273,288, and in further view of Golad, U.S. Patent Number 6,231,441 (the “Perlman rejections” collectively). Withdrawal of the Perlman rejections, however, appears to be implied in the Office Action. See also Rules of Practice Before the Board of Patent Appeals and Interferences, 69 Fed. Reg. 49960, 49979 (Dep’t Comm. Aug. 12, 2004) (Answer to Comment 67). In a brief telephone conversation that took place on January 27, 2005, the Examiner confirmed that the Perlman rejections have been withdrawn. We thank the Examiner for the clarification and submit this reply accordingly.

Claim Status

Claims 2-6, 11-15, 20-24, 29-33, 61-64, 66, and 67 are pending in the application. This paper amends claims 2, 11, 20, 29, 61, and 66; and cancels claims 1, 7-10, 16-19, 25-28, 34-40, 60, and 65 without prejudice or disclaimer. Claims 2, 11, 20, 29, 61, 63, and 66 are the independent claims of the application.

Double Patenting Rejections

The Office Action rejected claims 1-40 and 60-67 of the present application under obviousness-type double patenting doctrine, as unpatentable over claims 1-29 of U.S. Patent Number 6,682,427. A terminal disclaimer in compliance with 37 C.F.R. §1.321(b) is submitted together with this paper to obviate the double patenting rejection.

Art Rejections

The Office Action rejected claims 1, 7-10, 16-19, 25-28, 34-40, 60, and 65 under 35 U.S.C. § 103(a) as being unpatentable over Hsu, U.S. Patent Number 5,907,604 ("Hsu" hereinafter). In order to advance prosecution of the application, these claims have been canceled without prejudice or disclaimer. Claims 2, 11, 20, 29, 61, and 66, which previously depended directly from the canceled claims, have been rewritten in independent form, including all of the limitations of their respective base claims. (Minor changes have been introduced into the language and punctuation of some of these claims in order to correct several informalities.) Consequently, Applicant believes that the rewritten claims 2, 11, 20, 29, 61, and 66 are now allowable and respectfully requests such action. The remaining claims that were rejected as unpatentable over Hsu depend from the rewritten claims and should be allowable together with the rewritten claims.

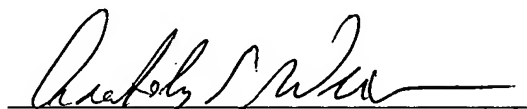
CONCLUSION

For the foregoing reasons, Applicant respectfully submits that all pending claims are patentable. To discuss any matter pertaining to the instant Application, the Examiner is invited to call the undersigned attorney at (858) 720-9431.

Respectfully submitted,

Dated: _____

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